

Serial No. 10/797,088

Attorney Docket No. 26A-016

REMARKS

The applicant notes with appreciation the acknowledgement of the claim for priority under section 119 and the notice that all of the certified copies of the priority documents have been received.

The applicant acknowledges and appreciates receiving an initialed copy of the form PTO-1449 that was filed on 11 March 2004

Claim 1 is pending. Claims 2-28 have been canceled. The applicant respectfully requests reconsideration and allowance of this application in view of the above amendments and the following remarks.

In paragraph 2 of the office action, claims 12 and 13 were withdrawn as not being readable on the elected species. The examiner is correct as to claim 12. However, original claim 13 is readable on the elected species, and the withdrawal of claim 13 was in error. Although claim 13 has been canceled, limitations from claim 13 have been incorporated in claim 1.

In giving reasons for withdrawing claims 12 and 13, the office action states that "claim 13 recites an "insertion hole" and a "tip side" which are features of Figure 17." The elected species of Figs. 13-15 also includes a tip side (distal end) and an insertion hole 53. Referring to Figs. 13 and 14, note that the insertion hole 53 is formed in the second resin portion 51b, and the insertion hole 53 is located at a tip side (or distal part) of the first resin portion 51a to be exposed in the elongated hole 52. Therefore, claim 13 should not have been withdrawn.

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Claims 1 and 11 were rejected under 35 USC 112, second paragraph, as being indefinite. Claim 11 has been canceled and thus will not be discussed. As for claim 1, the applicants respectfully request that this rejection be withdrawn for the following reasons.

Claim 1 was said to be indefinite due to a failure to specify on what element the load acts. Claim 1 has been amended to recite that the load being referred to in claim 1 acts on the front grille. Claim 1 is now considered to be fully definite, and withdrawal of this rejection is requested.

Claim 1 was rejected under 35 USC 102(b) as being anticipated by Fuener et al. The applicants respectfully request that this rejection be withdrawn for the following reasons.

In the front grille of this application, an attaching portion includes a first resin portion 51a protruding from the grille main body 30, and the first resin portion 51a has an elongated hole 52 that receives the fixing member 24. The fixing member 24 is permitted to be displaced within the elongated hole 52 in the protruding direction of the first resin portion 51a. A portion to be deformed includes a second resin portion 51b, the rigidity of which is lower than that of the first resin portion 51a. The second resin portion 51b has an insertion hole 53 capable of receiving the fixing member 24 in a part of the elongated hole 52 that is toward a tip side, or distal end, of the first resin portion 51a. The portion to be deformed, or the second resin portion 51b, is superposed upon the first resin portion 51a such that the second resin portion 51b is exposed in the elongated hole 52. When a load acts on the front grille, the exposed portion 140 of the second resin portion deforms and enters the elongated hole 52, as shown in Fig. 15.

The patent to Fuener et al. (USP 3,792,889) discloses a vehicle grille that has a first portion 42, a second portion 40 and a portion 48 to be deformed. However, the patent to Fuener et al. fails to disclose or suggest the claimed feature of the second resin portion deforming and

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entering the elongated hole of the first resin portion. Therefore, this rejection should be withdrawn.

Claim 11 was rejected under 35 USC 103(a) as being unpatentable over Fuener et al. Claim 11 has been canceled and thus this rejection will not be discussed.

In view of the foregoing, the applicant respectfully submits that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,

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